



Practitioner's Docket No. MPI98-093P2RCP3DV1RCEM

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: **Curtis, Rory A. J.**  
Application No.: **09/587,111** Group No.: **1646**  
Filed: **June 2, 2000** Examiner: **John D. Ulm**  
For: **NOVEL MEMBERS OF THE CAPSAICIN/VANILLOID RECEPTOR FAMILY  
OF PROTEINS AND USES THEREOF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

**IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed:

Within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

**OR**

After three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either:

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**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\***

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. SECTION 1.8(a)**

**37 C.F.R. SECTION 1.10\***

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Mailing Label No. \_\_\_\_\_

**TRANSMISSION**

transmitted by facsimile to the Patent and Trademark Office.

  
Signature

Date: January 20, 2004

Sean Hunziker  
(type or print name of person certifying)

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b). Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

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- (1) a final action under Section 1.113,
- (2) a notice of allowance under Section 1.311, or
- (3) an action that otherwise closes prosecution in the application

whichever occurs first.

Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

**OR**

The information disclosure statement transmitted herewith is being filed *after* a final action under Section 1.113, or a notice of allowance under Section 1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee.

In accordance with the requirements of 37 C.F.R. Section 1.97(d):

A.  Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

B.  Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

C.  No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

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**FEE PAYMENT**

3.  The fee due is set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c) (\$180.00).
- Applicant believes no fee is due in connection with this submission.

Fee due \$180.00

**METHOD OF PAYMENT OF FEE**

4.  Attached is a check in the amount of \$ \_\_\_\_\_.
- Charge Account No. 501668 in the amount of \$180.00.
- A duplicate of this request is attached.

If any additional fees are due, please charge Account 501668.

January 20, 2004

**MILLENNIUM PHARMACEUTICALS, INC.**

By *Mario Cloutier*  
Mario Cloutier  
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JAN 22 2004

**Practitioner's Docket No. MPI98-093P2RCP3DV1RCEM**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re application of:** Curtis, Rory A. J.  
**Application No.:** 09/587,111                   **Group No.:** 1646  
**Filed:** June 2, 2000                           **Examiner:** John D. Ulm  
**For:** NOVEL MEMBERS OF THE CAPSAICIN/VANILLOID RECEPTOR FAMILY  
OF PROTEINS AND USES THEREOF

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

## **List of Sections Forming Part of This Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1.  Preliminary Statements
  2.  Form PTO/SB/08B (substitute for Form PTO-1449) (1 page)
  3.  Copies of Listed Information Items Accompanying This Statement (4 references)

**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\***

I hereby certify that, on the date shown below, this correspondence is being

## MAILING

- deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. SECTION 1.8(a)**

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## TRANSMISSION

- transmitted by facsimile to the Patent and Trademark Office.

Signature

Date: January 20, 2004

**Sean Hunziker**  
*(type or print name of person certifying)*

**Practitioner's Docket No. MPI98-093P2RCP3DV1RCEM**

**Preliminary Statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

**Copies of Listed Information Items Accompanying This Statement**

Legible copies of all items listed in Form 08B (substitute for Form PTO-1449) accompany this information statement.

January 20, 2004

MILLENNIUM PHARMACEUTICALS, INC.

By



Mario Cloutier

Limited Recognition Under 37 C.F.R. § 10.9(b)

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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	09/587,111
Filing Date	June 2, 2000
First Named Inventor	Curtis, Rory A. J.
Group Art Unit	1646
Examiner Name	John D. ulm
Attorney Docket Number	MPI98-093P2RCP3DV1RCEM

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include the name of the author (in CAPTIAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and-or country where published.	T <sup>2</sup>
	C1	Stenholm, E. et al. (2002) "VR1- and VRL-1-like immunoreactivity in normal and injured trigeminal dental primary sensory neurons of the rat." <i>Acta Odontol Scand</i> . March; 60(2):72-79	
	C2	Gunthrope, Martin J. (2002) "The diversity in the vanilloid (TRPV) receptor family of ion channels." <i>TRENDS in Pharmacological Sciences</i> April; 23(4):183-191	
	C3	Benham, Christopher D. et al. (2003) "TRPV channels as temperature sensors." <i>Cell Calcium</i> 33:479-487	
	C4	Szallasi, A. et al., (1996) "Vanilloid Receptors: New Insights Enhance Potential as a Therapeutic Target." <i>PAIN</i> 68:195-208	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation design number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231.

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